

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 12 2001

Phil Lombardi, Clerk
U.S. DISTRICT COURT

JAY and JUDY IDE, as parents
and next friend of JON IDE, a
a minor child.

Plaintiff,

vs.

INDEPENDENT SCHOOL
DISTRICT NO. OF TULSA
COUNTY, aka BROKEN ARROW
PUBLIC SCHOOLS.

Defendants.

Case No.

01CV0105H (E)

**PLAINTIFF'S BRIEF IN SUPPORT OF MOTION FOR
ATTORNEY'S FEES AND COSTS**

This was an action filed with the State Department of Education, *Jon Ide v. Broken Arrow Public Schools, Due Process Hearing Request No. 1683* pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. §1415 in which the plaintiff prevailed through the hearing officer's decision. The hearing officer declared that the Broken Arrow School District must convene an Individual Education Plan (IEP) meeting to certify the subject of the hearing as a student eligible under special education in the category of specific Learning Disability, develop an appropriate IEP which meets the requirements of 34 C.F.R. 300.340 through 34 C.F.R. 300.50, and pay for one-half of the testimony of the licensed psychologist. Plaintiff has moved for an award of attorney's fees in the amount of \$ 66,712.50 and costs in the amount of \$ 6,480.90.

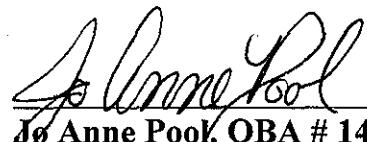
Attorney's fees and reasonable costs may be awarded to the parents of a child with a

disability who is a prevailing party under 20 U.S.C. §1415(i)(3). See 42 U.S.C. § 1988.

Case V. Unified School District No. 233, 157 F.3d 1243 (10th Cir. 1998).

Respectfully Submitted,

JO ANNE POOL, Attorney for Plaintiff



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CERTIFICATE OF SERVICE

The undersigned certifies that on the twelfth day of February, 2001, a copy of the foregoing PLAINTIFF'S BRIEF IN SUPPORT OF MOTION FOR ATTORNEY'S FEES AND COSTS to:

Andrea Kunkel
Rosenstein, Fist and Ringold
525 South Main Suite 700
Tulsa, OK 74103



Jo Anne Pool